

Applicants submit this Substitute Appeal Brief to the Board of Patent Appeals and Interferences on appeal from the decision of the Examiner of Group Art Unit 1762 dated December 22, 2003, finally rejecting claims 1, 3, 4, 6, 8-14, and 17-33. Although Applicants believe that no fee is due in connection with this Appeal Brief, the Commissioner is hereby authorized to charge counsel's Deposit Account No. 20-0782/APPM/319103/BTP, for any fees, including extension of time fees required to make this response timely and acceptable to the Office. Applicants believe no fee is due in connection with this Appeal Brief since Applicants paid for appeal briefs previously submitted on August 19, 2002, and July 1, 2003, that were not considered by the Board of Patent Appeals and Interferences. Three copies of this brief are submitted for use by the Board.

### **Real Party in Interest**

The present application has been assigned to Applied Materials, Inc., 3050 Bowers Avenue, Santa Clara, California 95054.

### **Related Appeals and Interferences**

Applicant asserts that no other appeals or interferences are known to the Applicant, the Applicant's legal representative, or assignee which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

### **Status of Claims**

Claims 1, 3, 4, 6, 8-14, 17-23, and 33 are pending in the application. Claims 1-20 were originally presented in the application. Claims 2, 5, 7, 15, and 16 were cancelled without prejudice, and new claims 21-33 were submitted in a response to office action mailed by Applicants on August 20, 2001. The pending claims are shown in the attached Appendix.

### **Status of Amendments**

The claims in Appendix A include amendments presented in a response to Final office action mailed by Applicants on April 21, 2003, which have been entered by the Examiner upon submission of Applicant's previously filed Appeal Brief mailed on July 1, 2003.

### **Summary of Invention**

The presence of native oxides and other contaminants within a small feature 11 formed in a patterned dielectric layer 12 typically results in voids 15 in a metal deposited in the feature 11. This is because the native oxides and other contaminants promote uneven distribution of the depositing metal. (See, Figure 1.) The native oxide typically forms as a result of exposing the exposed film layer/substrate to oxygen. (See, specification at page 2, lines 27-30.) The other contaminants within the features typically form as a result of: sputtered material from an oxide over-etch; residual photoresist from a stripping process; leftover hydrocarbon or fluorinated hydrocarbon

polymers from a previous oxide etch step; or re-deposited material from a pre-clean sputter etch process. (See, specification at page 2, line 33 through page 3, line 2.) The native oxide and other contaminants create regions on the substrate, which interfere with film formation by creating regions where film growth is stunted. (See, specification at page 3, lines 2-4.)

Pre-cleaning of features using sputter etch processes is effective for reducing contaminants in large features or in small features having aspect ratios smaller than about 4:1. However, sputter etch processes can damage silicon layers by physical bombardment, sputter deposition of Si/SiO<sub>2</sub> onto sidewalls of the features, and sputter deposition of metal sub-layers, such as aluminum, onto sidewalls of the features. For larger features, the sputter etch processes typically reduce the amount of contaminants within the features to acceptable levels. For small features having larger aspect ratios, sputter etch processes have not been as effective in removing contaminants within the features, thereby compromising the performance of the devices which are formed. (See, specification at page 3, lines 15-23.)

The present invention is an improvement over *Zhao et al*, (U.S. Patent No. 5,660,682), which illustrates an attempt to combine etching and reactive cleaning of patterned dielectric layers using a plasma comprising hydrogen and argon. The argon etches deposits from apertures and the hydrogen reacts with remaining deposits to form gaseous byproducts. The combination of etching and cleaning does improve subsequent deposition of metals, however, the combined plasma processing does not prevent formation of voids in subsequent metal layers. Therefore, there remained a need for a method to improve deposition of metal layers on a patterned dielectric layer, especially apertures such as vias and trenches having an aspect ratio greater than about 1.0. (See, specification at page 3, lines 21-28.)

Accordingly, the invention provides a process for cleaning a patterned dielectric layer in a processing chamber using a first plasma 212 consisting essentially of argon. The patterned dielectric layer is then further cleaned in the processing chamber with a second plasma 215 consisting essentially of hydrogen and helium. (See, specification at page 11, lines 28-33 and at Figure 3). A metal layer 225 is then deposited after

exposing the dielectric layer to the first plasma 212 and the second plasma 212. (See, specification at page 10, lines 13-17 and at Figure 3.)

### **Issues Presented**

1. Whether the Examiner erred in rejecting claims 1, 3, 4, 6, 8-14, and 17-33 under U.S.C. § 103(a) as being unpatentable over *Yoo et al.* (U.S. Patent No. 5,203,957) in view of *Zhao et al.* (U.S. Patent No. 5,660,682) and/or Yamazaki (JP 56-155,526).

### **Grouping of Claims**

Claims 1, 3, 4, 6, 8-14, 17-23, and 33 stand or fall together for all arguments presented by Applicants.

### **ARGUMENT**

**1. THE EXAMINER ERRED IN REJECTING CLAIMS 1, 3, 4, 6, 8-14, 17-23, AND 33 BECAUSE THE REFERENCES DO NOT MOTIVATE OR SUGGEST A TWO STEP CLEANING PROCESS COMPRISING A FIRST PLASMA CONSISTING ESSENTIALLY OF ARGON AND A SECOND PLASMA OF HELIUM AND HYDROGEN.**

Claims 1, 3, 4, 6, 8-14, 17-23, and 33 stand rejected under U.S.C. § 103(a) as being unpatentable over *Yoo et al.* (U.S. Patent No. 5,203,957) in view of *Zhao et al.* (U.S. Patent No. 5,660,682) and/or *Yamazaki et al.* (JP 56-155,526). The Examiner states that *Yoo et al.* teaches two plasma etching steps consisting of: (1) a first plasma of argon and (2) a second plasma of helium and a reactive gas such as CF<sub>4</sub> or CF<sub>3</sub>H. The Examiner states that *Zhao et al.* teaches an argon plus hydrogen plasma and/or asserts that *Yamazaki* teaches a plasma cleaning using hydrogen, or hydrogen mixed with helium or argon. The Examiner, therefore, asserts that it would have been obvious to one of ordinary skill in the art that "hydrogen was a reactive gas that could have been used equivalently in the process of *Yoo et al.* ... because it was shown to produce like effects in analogous situations and configurations". Furthermore, the Examiner states in

the Advisory Action dated May 13, 2002, that *Konecni* (EP 0849779) and *Subrahmanyam et al.* (WO 99/34424) have teachings similar to *Zhao et al.* and therefore, "confirm the logic of the combination" (referring to the combination of *Yoo et al.* in view of *Zhao et al.*)

Alternatively, the Examiner now asserts that it would have been obvious to "employ the active reduction gas H<sub>2</sub> in the process of *Yoo et al.* because *Yamazaki et al.* shows that H<sub>2</sub> + He plasma is analogously used to prepare insulating surfaces for metal deposition, where like metal may be deposited..., so one of ordinary skill would have expected equivalent results with the deposition surfaces noted to have been actuated for the metal deposition by the H<sub>2</sub> + He plasma treatment."

Applicants respectfully traverse the rejection on grounds that the Examiner has not established a case of *prima facie* obviousness. The mere recitation of a combination of references does not amount to particularly identifying a suggestion, teaching, or a motivation to combine the references. (See, M.P.E.P. § 2143.) The teaching or suggestion to make the claimed invention and the reasonable expectation of success must both be found in the prior art, not in the applicants' disclosure. See M.P.E.P. § 2143, citing *In re Vaeck*, 947 F.2d 488 (Fed. Cir. 1991). Still further, the examiner must particularly identify any suggestion, teaching or motivation from within the references to combine the references. See *In Re Dembiczak*, 50 USPQ2d 1614 (Fed. Cir. 1999).

*Yoo et al.* teaches an argon sputtering process to smooth corners formed within a feature followed by a "soft-etching" plasma process using a fluoro-carbon and helium mixture to decrease contact resistance for a nonsilicided device. (See, *Yoo et al.* at col. 4, line 50 through col. 5, line 13.) *Zhao et al.* discloses removing polymer residue and oxides from a silicon substrate using a plasma of argon and hydrogen. *Yamazaki et al.*, published in 1981, discloses a process for forming a "MIS type photo converter." *Yamazaki et al.* has nothing to do with improving metal deposition on a patterned dielectric layer. Therefore, a combination of the references does not motivate or suggest cleaning a patterned dielectric layer in a processing chamber with a first plasma consisting essentially of argon and cleaning the patterned dielectric layer in the

processing chamber with a second plasma consisting essentially of hydrogen and helium, as recited in base claims 1, 6, 14, 33, and those dependent therefrom.

Furthermore, the Examiner stated that it would have been obvious to use hydrogen, as taught by *Zhao et al.* and *Yamazaki et al.*, in the process of *Yoo et al.* “because it was shown to produce like effects in analogous situations and configurations”. This reason to combine the references identified by the Examiner is merely an unsupported conclusion that the combined elements provide an obvious result or as the Examiner proclaims, “a logical combination”. Unsupported legal conclusions and impermissible hindsight may not provide a proper basis to support a rejection based on *prima facie* obviousness. The Examiner has not provided any evidence of record to support a conclusion that hydrogen has been shown to produce like effects in analogous situations and configurations. If such a conclusion is true, it is gleaned from the Applicants’ own specification. The Examiner must rely on what has been taught or suggested by the prior art to preclude patentability, not the Applicant’s own specification. Accordingly, the Applicants submit that the Examiner has re-created the Applicants’ own invention using impermissible hindsight.

Moreover, even though references can be combined or modified, the possibility of a combination is not sufficient to establish *prima facie* obviousness. See M.P.E.P. § 2143.01. Furthermore, “[i]n determining the differences between the prior art and the claims, the question under 35 U.S.C. § 103 is not whether the differences themselves would have been obvious, but whether the claimed invention as a whole would have been obvious.” See, M.P.E.P. § 2141.02 citing *Stratoflex, Inc. v. Aeroquip Corp.*, 218 USPQ 871 (Fed. Cir. 1983). Here, the Examiner has attempted to arrive at the claimed invention by replacing the fluoro-carbon of the fluoro-carbon and helium mixture of *Yoo et al.* with the hydrogen of the argon and hydrogen mixture taught by *Zhao et al.*, or alternatively, the hydrogen, or hydrogen mixed with helium or argon taught by *Yamazaki et al.* As such, the Examiner is picking and choosing random elements of each reference to arrive at the claimed invention. If anything, a combination of the prior art may suggest substituting the entire argon and hydrogen mixture of *Zhao et al.* for the entire fluoro-carbon and helium mixture of *Yoo et al.*, or substituting the entire claimed two step process for the hydrogen, or hydrogen mixed with helium or argon taught by

*Yamazaki et al.* Neither substitution would teach or suggest all the limitations of the claims.

Furthermore, the proposed modification cannot render the prior art unsatisfactory for its intended purpose. *In re Gordon*, 221 USPQ 1125 (Fed. Cir. 1984). The substitution of the fluoro-carbon and helium mixture of *Yoo et al.* for the argon and hydrogen mixture taught by *Zhao et al.* or *Yamazaki et al.* would render *Yoo et al.* unsatisfactory for its intended purpose. The intended purpose of the fluoro-carbon and helium mixture of *Yoo et al.* is to physically etch a silicon surface to reduce the contact resistance that is increased during the previous argon sputter etching step, only when a non-silicided device is subjected to the argon sputter step. (See, *Yoo et al.* at col. 5, lines 3-13.) The hydrogen disclosed by *Zhao et al.* is used to chemically react with polymer residue to form water vapor or to chemically react with oxides to form  $\text{SiH}_x$  gases; whereas, the argon disclosed by *Zhao et al.* is used to physically etch or bombard these materials. (See, *Zhao et al.* at col. 3, line 55 through col. 4, line 8). In contrast, *Yoo et al.* utilizes the fluoro-carbon as a physical etchant and would have no use for a chemical reactant such as hydrogen, which would render *Yoo et al.*'s teaching unsatisfactory for its intended purpose since hydrogen would not physically etch the silicon substrate of *Yoo et al.* As mentioned above, *Yamazaki et al.*, published in 1981, discloses a process for forming a "MIS type photo converter," and has nothing to do with improving metal deposition on a patterned dielectric layer.

Accordingly, the Examiner has not established a case of *prima facie* obviousness and withdrawal of the rejection is respectfully requested. In particular, the Examiner has failed to set forth that the references can be combined to motivate or suggest cleaning a patterned dielectric layer in a processing chamber with a first plasma consisting essentially of argon and cleaning the patterned dielectric layer in the processing chamber with a second plasma consisting essentially of hydrogen and helium, as recited in base claims 1, 6, 14, 33, and those dependent therefrom. For at least these reasons, Applicants respectfully request withdrawal of the rejection and allowance of the claims.

### Conclusion

A combination of the references does not motivate or suggest a first cleaning step comprising a plasma consisting essentially of argon followed by a second cleaning step comprising a plasma consisting essentially of hydrogen and helium. For at least this reason, Applicants submit that the pending claims are patentable over the references, and respectfully request withdrawal of the rejection.

Respectfully submitted,



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## APPENDIX

1. A method for improving metal deposition on a patterned dielectric layer, comprising:
  - a) cleaning the patterned dielectric layer in a processing chamber with a first plasma consisting essentially of argon;
  - b) cleaning the patterned dielectric layer in the processing chamber with a second plasma consisting essentially of hydrogen and helium after cleaning the patterned dielectric layer with the first plasma; and
  - c) depositing a metal on the patterned dielectric layer after exposing the dielectric layer to the first plasma and the second plasma.
3. The method of claim 1, wherein the first plasma consists essentially of argon.
4. The method of claim 1, wherein the second plasma consists essentially of about 5% hydrogen by number of atoms and about 95% helium by number of atoms.
6. A method for improving metal deposition on a patterned dielectric layer on a substrate, comprising:
  - a) cleaning the patterned dielectric layer in a processing chamber with a first plasma consisting essentially of argon, wherein the first plasma is generated by supplying a RF power to a coil surrounding the processing chamber and supplying a RF power to bias a substrate support member supporting the substrate;
  - b) cleaning the patterned dielectric layer in the processing chamber with a second plasma consisting essentially of hydrogen and helium after cleaning the patterned dielectric layer with the first plasma, wherein the second plasma is generated by supplying the RF power to the coil surrounding the processing chamber and supplying the RF power to bias the substrate support member supporting the substrate; and
  - c) depositing a metal layer after exposing the dielectric layer to the first plasma and the second plasma.

8. The method of claim 6, wherein the first plasma consists essentially of argon.
9. The method of claim 6, wherein the second plasma consists essentially of about 5% hydrogen by number of atoms and about 95% helium by number of atoms.
10. The method of claim 6, further comprising depositing a barrier layer prior to depositing the metal layer.
11. The method of claim 6, wherein the RF power supplied to bias the substrate support member and generate the second plasma is less than the RF power supplied to bias the substrate support member and generate the first plasma.
12. The method of claim 6, wherein the first plasma is generated with about 300 W of the RF power supplied to the coil and about 300 W of the RF power supplied to bias the substrate support member, and the second plasma is generated with about 450 W of the RF power supplied to the coil and about 10 W of the RF power supplied to bias the substrate support member.
13. The method of claim 6, wherein each of the first plasma and the second plasma are maintained in the processing chamber for about 60 seconds.
14. A method for improving metal deposition on a patterned dielectric layer on a substrate, comprising:
  - a) cleaning the patterned dielectric layer in a processing chamber with a first plasma consisting essentially of argon, wherein the first plasma is generated by supplying a RF power to a coil surrounding the processing chamber and supplying a RF power to bias a substrate support member supporting the substrate;
  - b) cleaning the patterned dielectric layer in the processing chamber with a second plasma consisting essentially of hydrogen and helium after cleaning the patterned dielectric layer with the first plasma, wherein the second plasma is generated

by increasing the supply of the RF power to the coil surrounding the processing chamber and reducing the supply of the RF power to bias the substrate support member supporting the substrate;

- c) depositing a barrier layer on the patterned dielectric layer after exposing the dielectric layer to the first plasma and the second plasma; and
- d) depositing a metal on the barrier layer.

17. The method of claim 14, wherein the second plasma consists essentially of about 5% of hydrogen by number of atoms and about 95% of helium by number of atoms.

18. The method of claim 14, wherein the first plasma is generated with about 300 W of the RF power supplied to the coil and about 300 W of the RF power supplied to bias the substrate support member, and the second plasma is generated with about 450 W of the RF power supplied to the coil and about 10 W of the RF power supplied to bias the substrate support member.

19. The method of claim 14, wherein each of the first plasma and the second plasma are maintained in the processing chamber for about 60 seconds.

20. The method of claim 14, wherein the first plasma is generated at about 0.8 mtorr, and the second plasma is generated at about 80 mtorr.

21. The method of claim 1, wherein the patterned dielectric layer comprises one or more features having an aspect ratio greater than 1:1.

22. The method of claim 6, wherein the patterned dielectric layer comprises one or more features having an aspect ratio greater than 1:1.

23. The method of claim 14, wherein the patterned dielectric layer comprises one or more features having an aspect ratio greater than 1:1.

33. A method for improving metal deposition on a patterned dielectric layer, comprising:

- a) patterning a dielectric layer in a processing chamber to form one or more features having an aspect ratio greater than 1:1;
- b) cleaning the patterned dielectric layer in the processing chamber with a first plasma consisting essentially of argon;
- c) cleaning the patterned dielectric layer in the processing chamber with a second plasma comprising about 5% hydrogen by number of atoms and 95% helium by number of atoms after cleaning the patterned dielectric layer with the first plasma; and
- d) depositing a metal on the patterned dielectric layer after exposing the dielectric layer to the first plasma and the second plasma.